

REMARKS

Claims 1 – 17, and 19 - 21 are pending in the present application.

1. The Examiner has rejected claims 1 – 17 and 19-21 under the judicially created doctrine of double patenting over claims 1 – 28 and claims 1- 114 of U.S. Patent No. 6,536,291 and 6,691,584 in view of Fu et al. (6,289,746).

While U.S. Patent Nos. 6,536,291 and 6,691,584 do claim and show an apparatus for measuring a velocity of a fluid flowing in a pipe, these patents however do not suggest or teach using such an apparatus to provide an industrial process control system or method to control the velocity of a fluid flowing within a pipe, as claimed by Applicants in independent claims 1 and 12. Applicants therefore submit that it would not have been obvious to combine the apparatus shown in U.S. Patent Nos. 6,536,291 and 6,691,584 with the mass flow controller shown in Fu et al.

Applicants respectfully traverse Examiner's rejection for at least the reasons provided above. Therefore, Applicants respectfully submit that claims 1 and 12 are not rendered obvious and it is respectfully requested that these claims be reconsidered and allowed.

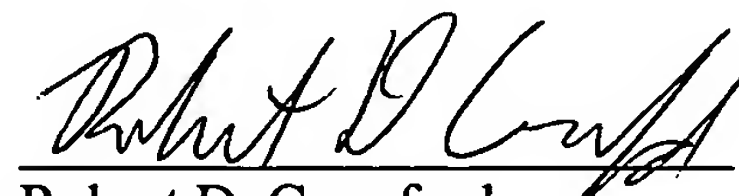
2. Claims 1-17 and 19-21 variously depend on independent claims 1 and 12, and therefore are not rendered obvious over claims 1 – 28 and claims 1- 114 of U.S. Patent No. 6,536,291 and 6,691,584 in view of Fu et al. (6,289,746), and it is respectfully requested that these claims be reconsidered and allowed for at least the reasons provided hereinbefore.

3. In view of the foregoing, it is respectfully requested that claims 1 – 17 and 19 - 21, be reconsidered and allowed based on at least the reasons provided hereinbefore.

4. In view of the foregoing, it is respectfully requested that the application be reconsidered and allowed. If the Examiner is not prepared to allow all the claims in view of the discussion herein, Applicants hereby respectfully request a phone interview with the Examiner at the Examiner's earliest convenient. Applicants' counsel can be reached at 203-626-3502 (direct dial) between the hours of 8:00 a.m. and 5:00 p.m., or by E-mail at rcrawford@cidra.com.

5. A petition for a three-month extension of time under 37 CFR 1.136 is submitted herewith. Please charge the fee of **\$950.00** for the extension of time to Deposit Account No. 50-0260 Order No. CC-0122A. Any deficiency or overpayment should be charged or credited to this deposit account.

Respectfully submitted,
DANIEL L. GYSLING


Robert D. Crawford
Registration No. 38,119

CiDRA Corporation
50 Barnes Park North
Wallingford, CT 06492
Tel. (203) 626-3502